1 2 3 4 5 6 7 8 9 10 11 12 13	WILMER CUTLER PICKERING HALE AND DORR LLP SONAL N. MEHTA (SBN 222086) Sonal.Mehta@wilmerhale.com 2600 El Camino Real, Suite 400 Palo Alto, California 94306 Telephone: (650) 858-6000 DAVID Z. GRINGER (pro hac vice) David.Gringer@wilmerhale.com ROSS E. FIRSENBAUM (pro hac vice) Ross.Firsenbaum@wilmerhale.com RYAN CHABOT (pro hac vice) Ryan.Chabot@wilmerhale.com PAUL VANDERSLICE (pro hac vice) Paul.Vanderslice@wilmerhale.com 7 World Trade Center 250 Greenwich Street New York, New York 10007 Telephone: (212) 230-8800	ARI HOLTZBLATT (pro hac vice) Ari.Holtzblatt@wilmerhale.com MOLLY M. JENNINGS (pro hac vice) Molly.Jennings@wilmerhale.com 2100 Pennsylvania Avenue NW Washington, DC 20037 Telephone: (202) 663-6000 MICHAELA P. SEWALL (pro hac vice) Michaela.Sewall@wilmerhale.com 60 State Street Boston, Massachusetts 02109 Telephone: (617) 526-6000
14	Attorneys for Defendant Meta Platforms, Inc.	
15	UNITED STATES	S DISTRICT COURT
	NORTHERN DISTRICT OF CALIFORNIA	
16	NORTHERN DISTR	RICT OF CALIFORNIA
16 17		RICT OF CALIFORNIA ISCO DIVISION
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17 18	SAN FRANCE MAXIMILIAN KLEIN, et al., on behalf of	Case No. 3:20-cv-08570-JD DECLARATION OF MOLLY JENNINGS
17 18 19	MAXIMILIAN KLEIN, et al., on behalf of themselves and all others similarly situated,	Case No. 3:20-cv-08570-JD DECLARATION OF MOLLY JENNINGS IN SUPPORT OF DEFENDANT'S MOTION TO EXCLUDE TESTIMONY
17 18 19 20 21 22	SAN FRANCE MAXIMILIAN KLEIN, et al., on behalf of themselves and all others similarly situated, Plaintiffs,	Case No. 3:20-cv-08570-JD DECLARATION OF MOLLY JENNINGS IN SUPPORT OF DEFENDANT'S
17 18 19 20 21 22 23	SAN FRANCE MAXIMILIAN KLEIN, et al., on behalf of themselves and all others similarly situated, Plaintiffs, v. META PLATFORMS, INC., a Delaware	Case No. 3:20-cv-08570-JD DECLARATION OF MOLLY JENNINGS IN SUPPORT OF DEFENDANT'S MOTION TO EXCLUDE TESTIMONY OF SCOTT FASSER AND JOSHUA
17 18 19 20 21 22 23 24	SAN FRANCE MAXIMILIAN KLEIN, et al., on behalf of themselves and all others similarly situated, Plaintiffs, v. META PLATFORMS, INC., a Delaware Corporation,	Case No. 3:20-cv-08570-JD DECLARATION OF MOLLY JENNINGS IN SUPPORT OF DEFENDANT'S MOTION TO EXCLUDE TESTIMONY OF SCOTT FASSER AND JOSHUA GANS
17 18 19 20 21 22 23 24 25	SAN FRANCE MAXIMILIAN KLEIN, et al., on behalf of themselves and all others similarly situated, Plaintiffs, v. META PLATFORMS, INC., a Delaware Corporation,	Case No. 3:20-cv-08570-JD DECLARATION OF MOLLY JENNINGS IN SUPPORT OF DEFENDANT'S MOTION TO EXCLUDE TESTIMONY OF SCOTT FASSER AND JOSHUA GANS
17 18 19 20 21 22 23 24 25 26	SAN FRANCE MAXIMILIAN KLEIN, et al., on behalf of themselves and all others similarly situated, Plaintiffs, v. META PLATFORMS, INC., a Delaware Corporation,	Case No. 3:20-cv-08570-JD DECLARATION OF MOLLY JENNINGS IN SUPPORT OF DEFENDANT'S MOTION TO EXCLUDE TESTIMONY OF SCOTT FASSER AND JOSHUA GANS
17 18 19 20 21 22 23 24 25	SAN FRANCE MAXIMILIAN KLEIN, et al., on behalf of themselves and all others similarly situated, Plaintiffs, v. META PLATFORMS, INC., a Delaware Corporation,	Case No. 3:20-cv-08570-JD DECLARATION OF MOLLY JENNINGS IN SUPPORT OF DEFENDANT'S MOTION TO EXCLUDE TESTIMONY OF SCOTT FASSER AND JOSHUA GANS

No. 3:20-cv-08570-JD

JENNINGS' DECL. ISO META'S MOTION TO EXCLUDE TESTIMONY OF SCOTT FASSER AND JOSHUA GANS 8

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I, MOLLY JENNINGS, declare as follows:

- I am a partner at Wilmer Cutler Pickering Hale and Dorr LLP. I represent
 Defendant Meta Platforms, Inc. in the above-captioned action. The contents of this declaration are based on my personal knowledge.
- 2. I submit this declaration in support of Meta's Motion to Exclude the Testimony of Scott Faser and Joshua Gans. I have knowledge of the facts set forth in this Declaration and if called upon as a witness, I could and would testify to them competently under oath.
- 3. Attached hereto as Exhibit 1 is a true and correct copy of Advertiser Plaintiffs' Expert Report of Scott Fasser with Exhibit A, dated July 7, 2023.
- 4. Attached hereto as Exhibit 2 is a true and correct copy of Advertiser Plaintiffs' Reply Expert Report of Scott Fasser, dated September 1, 2023.
- 5. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the transcript of the September 7, 2023 deposition of Scott Fasser.
- 6. Attached hereto as Exhibit 4 is a true and correct copy of Advertiser Plaintiffs' Expert Report of Joshua S. Gans, with Appendices, dated July 7, 2023.
- 7. Attached hereto as Exhibit 5 is a true and correct copy of Advertiser Plaintiffs' Expert Reply Report of Joshua S. Gans, dated September 1, 2023.
- 8. Attached hereto as Exhibit 6 is a true and correct copy of Advertiser Plaintiffs' Expert Report of Michael A. Williams, Ph.D., dated July 7, 2023.
- 9. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the transcript of the May 19, 2023 deposition of Brad Smallwood.
- 10. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the transcript of the May 9, 2023 deposition of Jonathan Eide.
- 11. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from the transcript of the June 22, 2023 deposition of Andrew Bosworth.
- 12. Attached hereto as Exhibit 10 is a true and correct copy of excerpts from the transcript of the June 13, 2023 deposition of Rob Goldman.

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1	13. Attached hereto as Exhibit 11 is a true and correct copy of excerpts of the	
2	transcript of the June 14, 2023 deposition of D. Scott Baser.	
3	14. Attached hereto as Exhibit 12 is a true and correct copy of excerpts from	
4	Defendant Meta Platforms, Inc.'s Supplemental Initial Discelosures Pursuant to Federal Rule of	
5	Civil Procedure 26(a)(1), dated May 1, 2023.	
6	15. Attached hereto as Exhibit 13 is a true and correct copy of the following article:	
7	Susan Athey & Joshua Gans, The Impact of Targeting Technology on Advertising Markets and	
8	Media Competition, 100 Am. Econ. Rev. 608 (2010).	
9	I declare under penalty of perjury of the laws of the United States of America that the	
10	foregoing is true and correct.	
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12	Executed on this 15th day of September, 2023, in Washington, District of Columbia.	
13	By: /s/ Molly Jennings	
14	Molly Jennings	
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SIGNATURE ATTESTATION This document is being filed through the Electronic Case Filing (ECF) system by attorney Sonal N. Mehta. By her signature, Ms. Mehta attests that she has obtained concurrence in the filing of this document from each of the attorneys identified on the caption page in the above signature block. By: <u>/s/ Sonal N. Mehta</u> Sonal N. Mehta